

05-2301 78028  
2823

PA 128286



# CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL

*Submit an original, and a duplicate for fee processing.*  
(Only for Continuation or Divisional applications under 37 CFR 1.53(d))

CHECK BOX, if applicable  
 DUPLICATE

Address to:

Assistant Commissioner for Patents  
Box CPA  
Washington, DC 20231

Attorney Docket No. of Prior Application	A28838-I-A
First Named Inventor	Hidemi Takasu
Examiner Name	M. Estrada
Group Art Unit	2823
Express Mail Label No.	EF321688645

This is a request for a  continuation or  divisional application under 37 CFR 1.53(d),  
(continued prosecution application (CPA)) of prior application number 09/212,915,  
filed on 12/16/1998, entitled PROCESS FOR FABRICATING A \* see attached

### NOTES

**FILING QUALIFICATIONS:** The prior application identified above must be a nonprovisional application that is either: (1) complete as defined by 37 CFR 1.51(b), or (2) the national stage of an international application in compliance with 35 U.S.C. 371. Effective May 29, 2000, a CPA may only be filed in a utility or a plant application if the prior nonprovisional application was filed before May 29, 2000. A CPA may be filed in a design application regardless of the filing date of the prior application. See "Request for Continued Examination Practice changes to and Provisional Application Practice," Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office (Apr. 11, 2000).

**C-I-P NOT PERMITTED:** A continuation-in-part application cannot be filed as a CPA under 37 CFR 1.53(d), but must be filed under 37 CFR 1.53(b).

**EXPRESS ABANDONMENT OF PRIOR APPLICATION:** The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 CFR 1.53(b) must be used to file a continuation, divisional, or continuation-in-part of an application that is not to be abandoned.

**ACCESS TO PRIOR APPLICATION:** The filing of this CPA will be construed to include a waiver of confidentiality by the applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 CFR 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or applications in the file jacket.

**35 U.S.C. 120 STATEMENT:** In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 CFR 1.78(a).

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

1.  Enter the unentered amendment previously filed on \_\_\_\_\_ under 37 CFR 1.116 in the prior nonprovisional application.
2.  A preliminary amendment is enclosed.
3. This application is filed by fewer than all the inventors named in the prior application, 37 CFR 1.53(d)(4).
  - a.  **DELETE** the following inventor(s) named in the prior nonprovisional application:
    - b.  The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
4.  A new power of attorney or authorization of agent (PTO/SB/81) is enclosed.
5. Information Disclosure Statement (IDS) is enclosed:
  - a.  PTO-1449
  - b.  Copies of IDS Citations

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MAY 30 2001

TECHNOLOGY CENTER 2800

**BAKER BOTTS LLP**

Attorney Docket Number: A28838-I-A

Title: PROCESS FOR FABRICATING A SEMICONDUCTOR

Use Space Below for Additional Information:

CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
	TOTAL CLAIMS (37 CFR 1.16(c) or (i))	8 -20* =	0	x \$ 18 =	\$ 0
	INDEPENDENT CLAIMS (37 CFR 1.16(b) or (i))	1 -3** =	0	x \$ 80 =	0
	MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d))			+ \$ _____ =	
				BASIC FEE (37 CFR 1.16)	710
			Total of above Calculations =		710
	Reduction by 50% for filing by small entity (Note 37 CFR 1.27).				
	* Reissue claims in excess of 20 and over original patent. ** Reissue Independent claims over original patent.			TOTAL =	710

6.  Small entity status: Applicant claims small entity status. See 37 CFR 1.27.
7. The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Account No. 02 - 4377:
- Fees required under 37 CFR 1.16.
  - Fees required under 37 CFR 1.17.
  - Fees required under 37 CFR 1.18.
8.  A check in the amount of \$ 710 is enclosed.
9.  Payment by credit card. Form PTO-2038 is attached.
10.  Applicant requests suspension of action under 37 CFR 1.103(b) for a period of \_\_\_\_\_ months (not to exceed 3 months) and the fee under 37 CFR 1.17(i) is enclosed.
11.  New Attorney Docket Number, if desired  
[Prior application Attorney Docket Number will carryover to this CPA unless a new Attorney Docket Number has been provided herein.]
12. a.  Receipt For Facsimile Transmitted CPA (PTO/SB/29A)  
b.  Return Receipt Postcard (Should be specifically itemized, See MPEP 503)  
Petition for Extension of Time under 37C.F.R 1.136(a)
13.  Other: \_\_\_\_\_

**NOTE:** *The prior application's correspondence address will carry over to this CPA  
UNLESS a new correspondence address is provided below.*

**14. NEW CORRESPONDENCE ADDRESS**

Customer Number or Bar Code Label

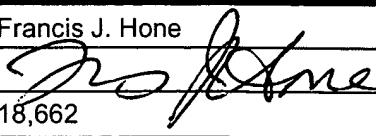
(Insert Customer No. or Attach bar code label here)

or  New correspondence address below

Name					
Address					
City	State		Zip Code		
Country	Telephone		Fax		

**15. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name (Print /Type) Francis J. Hone

Signature 

Registration No. (Attorney/Agent) 18,662

Date May 22, 2001



**BAKER BOTTS LLP**

Att. Docket No: A28838-I-A

**Certificate of Mailing under 37 CFR 1.8**

I hereby certify that this correspondence\* is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

**BOX CPA  
Assistant Commissioner for Patents  
Washington, D.C. 20231**

on May 22, 2001.

Date

A handwritten signature in black ink, appearing to read "Francis J. Hone".

Signature

Francis J. Hone

Typed or printed name of person of signing Certificate



Express Mail Label No: EF3211688645US

\* Correspondence

Continued Prosecution Application Request Transmittal

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Hidemi Takasu

Serial No.: 09/212,915

Examiner: M. Estrada

Filed : December 16, 1998

Group Art Unit: 2823

For : PROCESS FOR FABRICATING A  
SEMICONDUCTOR DRIVE

PRELIMINARY AMENDMENT FOR  
CONTINUED PROSECUTION APPLICATION

I hereby certify that this paper is being deposited with the United States  
 Postal Service as first class mail in an envelope addressed to:  
 Assistant Commissioner for Patents, Washington, D.C. 20231, on:

May 22, 2001

Date of Deposit

Francis J. Hone

Attorney Name

18,662

PTO Reg. No.

Signature

May 22, 2001

Date of Signature

Assistant Commissioner for Patents  
 Washington, D.C. 20231

Sir:

In response to the Examiner's Action mailed February 22, 2001 please amend the  
 above-identified application as follows:

In the Claims:Please amend claim 1 in the following manner:
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 MAY 30 2001

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